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## COUNTY OF LOS ANGELES DEPARTMENT OF CONSUMER AFFAIRS

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Members of the Board

Gloria Molina  
Yvonne Brathwaite Burke  
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Don Knabe  
Michael D. Antonovich

Pastor Herrera, Jr.  
Director

*"To Enrich Lives Through Effective and Caring Service"*

October 5, 2004

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**Request for Term Extension and Updating of a Cable Television Franchise in the Unincorporated Areas of Glendora Granted to Century-TCI California, L. P., a Delaware Limited Partnership**

**(5<sup>th</sup> District) (3 VOTES)**

### **IT IS RECOMMENDED THAT YOUR BOARD**

1. Approve an ordinance to amend the cable television franchise Ordinance No. 89-0146F granting a franchise in the unincorporated areas of Glendora held by Century-TCI California, L. P., to extend the term through December 31, 2005, and update other terms of the franchise.
2. Introduce, waive reading and place on your Board's Agenda for adoption the attached ordinance that implements the above recommendation.
3. Find that this extension is categorically exempt under the California Environmental Quality Act (CEQA) pursuant to Class 1, Section (e), of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, and Section 15301(b) of the State CEQA Guidelines.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Century-TCI California, L. P. has a cable television franchise with the County that expires on December 31, 2004. Extension of the current franchise term through December 31, 2005 allows the County sufficient time to amend Title 16, Division 4 of the County Code (Cable Television System Franchises) and negotiate the renewal of

this franchise. This ordinance amends the name of the franchise holder to reflect previously approved transfers by Director's Consent letters from Foothills Cablevision, Ltd., to Citizens Century Cable Television Venture and then to Century-TCI California, L. P., a Delaware limited partnership. It also amends the name of the Director from the Director of the Internal Services Department to the Director of the Department of Consumer Affairs.

#### Implementation of Strategic Plan Goals

Approval of this recommendation will assist in implementing the Countywide Strategic Plan goal of fiscal responsibility. This will ensure the continuation of revenue provided to the County by statute.

#### **FISCAL IMPACT/FINANCING**

There will be no fiscal impact or cost to the County. This cable television franchise generates revenue to the County. Section 622 (b) of the Cable Act of 1984 (47 U.S.C. §542 (b)) gives a local franchising authority, such as the County, the right to collect franchise fees of no more than five percent (5%) of total gross revenues collected by a cable television operator over a 12-month period. The extension of this cable television franchise will allow continued collection of these franchise fees.

#### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The Office of the County Counsel has reviewed the attached ordinance and approved it as to form.

#### **ENVIRONMENTAL DOCUMENTATION**

The term extension of this cable television franchise is categorically exempt under CEQA pursuant to Class 1, Section (e) of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, and Section 15301(b) of the State CEQA Guidelines.

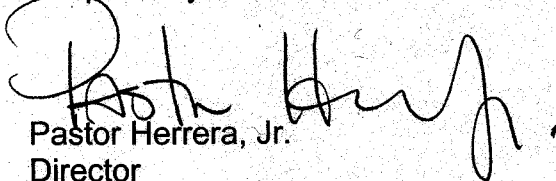
#### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

There will be no impact on current services.

**CONCLUSION**

It is requested that the Executive Office-Clerk of the Board notify Mr. Thomas E. Carlock, Vice President of Law and Public Policy, Adelphia Communications Corp., 3100 Ocean Park Blvd., Suite 300, Santa Monica, CA 90405, the Chief Administrative Officer, the Auditor-Controller, County Counsel, the Department of Public Works, and the Department of Consumer Affairs of the Board's action in this matter.

Respectfully submitted,



Pastor Herrera, Jr.  
Director

PHJ:FT:GY

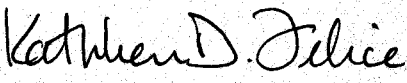
Attachment (1)

c: Mr. Thomas E. Carlock, Adelphia  
Executive Officer, Board of Supervisors  
Chief Administrative Officer  
Auditor-Controller  
County Counsel  
Department of Public Works

## ANALYSIS

This ordinance extends through December 31, 2005, a franchise to operate a cable television system to provide cable television service in the unincorporated areas of Glendora, granted by Ordinance No. 89-0146F. This ordinance also changes the name of the Franchisee to Century-TCI California, L.P., a Delaware limited partnership, to reflect previously approved transfers and clarifies that references to the term "Director" are to the Director of the Department of Consumer Affairs.

## OFFICE OF THE COUNTY COUNSEL

By   
KATHLEEN D. FELICE  
Senior Deputy County Counsel  
Public Works Division

08/11/04 (Requested)

08/12/04 (Revised)

**ORDINANCE NO. \_\_\_\_\_**

An ordinance extending through December 31, 2005, a franchise to operate a cable television system in the unincorporated areas of Glendora, reflecting a change in the name of the Franchisee and clarifying that references to the "Director" are to the Director of the Department of Consumer Affairs.

The Board of Supervisors of the County of Los Angeles ordains as follows:

**SECTION 1.** Section 1 of Ordinance No. 89-0146F is hereby amended to read as follows:

**Section 1.** Pursuant to Section 53066 of the Government Code of the State of California, the right, privilege, and franchise is granted to ~~Foothills Cablevision, Ltd.~~ Century-TCI California, L.P., a Delaware limited partnership, ~~(hereinafter referred to as "Franchisee"), through December 31, 2005,~~ to construct, ~~from time to time and for the period of fifteen (15) years from the effective date of this ordinance,~~ reconstruct, maintain, and operate a Cable Television System ~~(hereinafter called "System")~~ in the unincorporated ~~territory~~ Service Areas of the County of Los Angeles, described in Section 2 below, and to construct, reconstruct, maintain, operate, renew, repair, and remove in these Service Areas ~~described in Section 2 below,~~ radio and television signal transmission lines and cables and all appurtenances and/or service connections (hereinafter jointly referred to as "Facilities") which are necessary or convenient for the provision of a System, ~~said~~ This grant ~~being~~ is subject to the faithful performance and observance by Franchisee of all the terms and conditions herein.

**SECTION 2.** Section 3.D of Ordinance No. 89-0146F is hereby amended to read as follows:

Section 3.D. Franchisee and the Director of the ~~Los Angeles County Department of Internal Services,~~Department of Consumer Affairs, or his authorized representative, ~~(hereinafter referred to as "Director")~~, may mutually agree in writing to modify the method of monthly payments to offset the annual franchise fee payment. Any such modification shall consider the annual franchise period as being based on a calendar year.

[GlendoraCenturyTCI]